

July 13<sup>th</sup>, 2009

CC Docket No. 96-45  
CC Docket No. 02-6

Request for Waiver

Marlene H. Dortch, Secretary  
Federal Communications Commission  
Office of the Secretary  
445 12th Street, SW  
Washington, DC 20554

Billed Entity Name: Lake County School District R-1  
Billed Entity Number: 142196

Appeal of "Funding Year 2009 Form 471 Postmarked Outside of Window Letter" for application number 699244

To Whom It May Concern:

I am writing this letter to request a waiver on the deadline for submitting Form 471 application number 699244 for funding year 2009. The following is background info regarding this somewhat confusing issue:

For funding year 2008 my predecessor, Jason Henry, made mistakes on his Form 470 and Form 471 submissions that resulted in FRN 1747974 being denied funding. I filed an appeal to this negative funding decision with USAC and later was awarded a positive funding decision for the wireless Telecommunication Service Mr. Henry had mistakenly identified as Internal Connections (see enclosure).

Due to the relatively late delivery of the FCDL for funding year 2008 (it was postmarked January 5<sup>th</sup>, 2009) I did not realize Mr. Henry's mistake until it was too late to file a corrected Form 470 / Form 471 and still meet the deadline. This was because my original 470 and 471 forms, submitted for this service for funding year 2009, each contained the same mistake. Therefore, in order to remain compliant with USAC rules by waiting 28 days before filing the associated Form 471, I had to file it after the deadline of 2/12/09.

It is my hope and expectation that because the mistake was corrected and, after appeal, a positive funding decision was reached for funding year 2008 for the same service, this waiver request will also be granted. This is crucial for the District to afford its new wireless Telecommunication Service and accompanying Internet Service for which installs began in late June.

Sincerely,



Grant Miller  
Technology Director

Lake County School District R-1  
107 Spruce St.  
Leadville, CO 80461

gmiller@lakecountyschools.net  
Phone: 719-486-6800  
Fax: 719-486-2048

enclosure: 14 pp

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# Lake County School District R-1

107 Spruce Street \* Leadville, CO 80461

Phone: 719-486-6800

Fax: 719-486-2048

# Fax

To: USAC From: Grant Miller  
Fax: 973 599 6542 Pages: 15  
Phone: \_\_\_\_\_ Date: 1/16/09  
Re: Letter of Appeal cc: Dave Bailey w/ CenturyTel

☐ Urgent ☐ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

• Comments:

13 January 2009

**Re: Appeal to the Funding Commitment Decision Letter (Funding Year 2008) dated 1/5/09 for Lake County School Dist R-1.**

Appellant name:	Grant Miller, Technology Director
Appellant address:	107 Spruce Street, Leadville, CO 80461
Appellant fax number:	719-486-2048
Appellant E-mail:	<a href="mailto:gmill@lakecountyschools.net">gmiller@lakecountyschools.net</a>
Appellant BEN:	142196
Appellant service provider name:	CenturyTel of Eagle, Inc.
Appellant SPIN:	143002487
Form 471 Application Number:	627092
FCDL for Funding Year 2008:	<i>please see attached Adobe .pdf file</i>
Exact text of decision I'm appealing:	"Srvc/Discnt will NOT be funded" (see p. 8 of attached .pdf file)

This letter was written to appeal the funding commitment decision of "Not Funded" for Funding Request Number 1747974. My predecessor, Jason Henry, mistakenly used "Internal Connections" for this Funding Request's Category of Service, instead of "Telecommunication Service". The reason why this was a mistake is based on the fact that we were issued a positive Funding Decision for Qwest Corporation's local T1 lines (SPIN: 143005231, Funding Request Number: 1732102). This Qwest service is correctly categorized as "Telecommunication Service" and this CenturyTel wireless telecommunication service, if funded, will replace the Qwest T1 lines. Therefore the CenturyTel wireless telecommunication service should have been categorized as "Telecommunication Service" instead of "Internal Connections".

The CenturyTel telecommunication wireless service is charged to Lake County School District (LCSD) at a monthly rate and will provide up to 100 Mbps (megabits / second) of voice and data transfer between LCSD buildings. This will allow LCSD to replace more expensive T1's from Qwest and will provide for all our phone and internet service between buildings. There is no equipment as part of this request as it is all owned and provided by CenturyTel. LCSD only pays for the telecommunication service itself at a recurring monthly rate.

Currently the Qwest T1 telecommunication service carries both data and voice traffic between LCSD buildings. The CenturyTel wireless telecommunication service will do the same, enabling LCSD to increase its intra-building bandwidth by as much as 150 times. Additionally, a six-fold increase in LCSD's internet access speed will be attained if LCSD go with CenturyTel for internet service. The District was awarded a positive funding decision for CenturyTel's internet service for 2008-09, but the wireless

telecommunication service must be turned on before this tremendous increase in internet speed can be realized at all LCSD buildings.

For use with the CenturyTel wireless telecommunication service, I have begun gathering the equipment necessary to IP-enable our existing NEC 2400 phone system so that LCSD phone traffic can be sent using the CenturyTel wireless telecommunication service. This equipment is not part of this funding request as it is was recycled from Steamboat Springs School District. This includes the NEC 1000 IVS and NEC 2000 IVS cabinets to replace LCSD phone system's digital remote units currently located at the two elementary schools and the administrative building. CenturyTel will work with Microtech-Tel, LCSD's phone system vendor, to ensure a smooth transition to IP phone traffic. Included are emails from CenturyTel, Microtech-Tel, and a Qwest business partner called Telecom National for documentation purposes. Please reconsider the negative funding decision in light of this new, more accurate information.

Sincerely,

A handwritten signature in black ink, appearing to read "Grant Miller". The signature is fluid and cursive, with the first name "Grant" and last name "Miller" clearly distinguishable.

Grant Miller

Technology Director

Lake County School District R-1



**FUNDING COMMITMENT DECISION LETTER**  
(Funding Year 2008: 07/01/2008 - 06/30/2009)

January 5, 2009

Jason Henry  
LAKE COUNTY SCHOOL DIST R 1  
107 SPRUCE ST  
LEADVILLE, CO 80461

Re: Form 471 Application Number: 627092  
Billed Entity Number (BEN): 142196  
Billed Entity FCC RN: 0012251898  
Applicant's Form Identifier: LAKE471

Thank you for your Funding Year 2008 application for Universal Service Support and for any assistance you provided throughout our review. The current status of the funding request(s) in the Form 471 application cited above and featured in the Funding Commitment Report(s) (Report) at the end of this letter is as follows.

- The amount, \$56,920.15 is "Approved."
- The amount, \$58,096.50 is "Denied."

Please refer to the Report following this letter for specific funding request decisions and explanations. The Universal Service Administrative Company (USAC) is also sending this information to your service provider(s) so preparations can begin for implementing your approved discount(s) after you file FCC Form 486, Receipt of Service Confirmation Form. A guide that provides a definition for each line of the Report is available in the Reference Area of our website.

**NEXT STEPS**

- Work with your service provider to determine if you will receive discounted bills or if you will request reimbursement from USAC after paying your bills in full
- Review technology planning approval requirements
- Review CIPA requirements
- File Form 486
- Invoice USAC using the Form 474 (service provider) or Form 472 (Billed Entity applicant) - as products and services are being delivered and billed

**TO APPEAL THIS DECISION:**

You have the option of filing an appeal with the SLD or directly with the Federal Communications Commission (FCC).

If you wish to appeal a decision in this letter to USAC, your appeal must be received by USAC or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. In your letter of appeal:

1. Include the name, address, telephone number, fax number, and (if available) email address for the person who can most readily discuss this appeal with us.
2. State outright that your letter is an appeal. Include the following to identify the letter and the decision you are appealing:
  - Appellant name,
  - Applicant name and service provider name, if different from appellant,
  - Applicant BEN and Service Provider Identification Number (SPIN),
  - Form 471 Application Number 627092 as assigned by USAC,
  - "Funding Commitment Decision Letter for Funding Year 2008," AND

- The exact text or the decision that you are appealing.
- 3. Please keep your letter to the point, and provide documentation to support your appeal. Be sure to keep a copy of your entire appeal, including any correspondence and documentation.
- 4. If you are the applicant, please provide a copy of your appeal to the service provider(s) affected by USAC's decision. If you are the service provider, please provide a copy of your appeal to the applicant(s) affected by USAC's decision.
- 5. Provide an authorized signature on your letter of appeal.

To submit your appeal to USAC by email, email your appeal to [appeals@sl.universalservice.org](mailto:appeals@sl.universalservice.org). USAC will automatically reply to incoming emails to confirm receipt.

To submit your appeal to USAC by fax, fax your appeal to (973) 599-6542.

To submit your appeal to USAC on paper, send your appeal to:

Letter of Appeal  
Schools and Libraries Division - Correspondence Unit  
100 S. Jefferson Road  
P.O. Box 902  
Whippany, NJ 07981

If you wish to appeal a decision in this letter to the FCC, you should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received by the FCC or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. We strongly recommend that you use the electronic filing options described in the "Appeals Procedure" posted in the Reference Area of our website. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554.

#### NOTICE ON RULES AND FUNDS AVAILABILITY

Applicants' receipt of funding commitments is contingent on their compliance with all statutory, regulatory, and procedural requirements of the Schools and Libraries Program. Applicants who have received funding commitments continue to be subject to audits and other reviews that USAC and/or the FCC may undertake periodically to assure that funds that have been committed are being used in accordance with all such requirements. USAC may be required to reduce or cancel funding commitments that were not issued in accordance with such requirements, whether due to action or inaction, including but not limited to that by USAC, the applicant, or the service provider. USAC, and other appropriate authorities (including but not limited to the FCC), may pursue enforcement actions and other means of recourse to collect improperly disbursed funds. The timing of payment of invoices may also be affected by the availability of funds based on the amount of funds collected from contributing telecommunications companies.

Schools and Libraries Division  
Universal Service Administrative Company

FUNDING COMMITMENT REPORT  
Billed Entity Name: LAKE COUNTY SCHOOL DIST R 1  
BEN: 142196  
Funding Year: 2008

Comment on RAL corrections: The applicant did not submit any RAL corrections.

Form 471 Application Number: 627092  
Funding Request Number: 1731388  
Funding Status: Funded  
Category of Service: Telecommunications Service  
Form 470 Application Number: 106250000647683  
SPIN: 143000677  
Service Provider Name: Verizon Wireless  
Contract Number: MTM  
Billing Account Number: N/A  
Multiple Billing Account Numbers: N  
Service Start Date: 07/01/2008  
Service End Date: 06/30/2009  
Contract Award Date: N/A  
Contract Expiration Date: N/A  
Shared Worksheet Number: 1006459  
Number of Months Recurring Service Provided in Funding Year: 12  
Annual Pre-discount Amount for Eligible Recurring Charges: \$13,542.84  
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00  
Pre-discount Amount: \$13,542.84  
Discount Percentage Approved by the USAC: 77%  
Funding Commitment Decision: \$10,427.99 - ERN approved as submitted

FCDL Date: 01/05/2009

Wave Number: 033

Last Allowable Date for Delivery and Installation for Non-Recurring Services: 09/30/2009

FUNDING COMMITMENT REPORT  
Billed Entity Name: LAKE COUNTY SCHOOL DIST R 1  
BEN: 142196  
Funding Year: 2008

Comment on RAL corrections: The applicant did not submit any RAL corrections.

Form 471 Application Number: 627092  
Funding Request Number: 1731534  
Funding Status: Funded  
Category of Service: Telecommunications Service  
Form 470 Application Number: 106250000647683  
SPIN: 143015547  
Service Provider Name: MCI LLC & Subsidiaries  
Contract Number: MTM  
Billing Account Number: N/A  
Multiple Billing Account Numbers: N  
Service Start Date: 07/01/2008  
Service End Date: 06/30/2009  
Contract Award Date: N/A  
Contract Expiration Date: N/A  
Shared Worksheet Number: 1006459  
Number of Months Recurring Service Provided in Funding Year: 12  
Annual Pre-discount Amount for Eligible Recurring Charges: \$2,095.44  
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00  
Pre-discount Amount: \$2,095.44  
Discount Percentage Approved by the USAC: 77%  
Funding Commitment Decision: \$1,613.49 - FRN approved as submitted

FCDL Date: 01/05/2009  
Wave Number: 033  
Last Allowable Date for Delivery and Installation for Non-Recurring Services: 09/30/2009



FUNDING COMMITMENT REPORT  
Billed Entity Name: LAKE COUNTY SCHOOL DIST R 1  
BEN: 142196  
Funding Year: 2008

Comment on RAL corrections: The applicant did not submit any RAL corrections.

Form 471 Application Number: 627092  
Funding Request Number: 1731992  
Funding Status: Not Funded  
Category of Service: Internal Connections  
Form 470 Application Number: 106250000647683  
SPIN: 143005588  
Service Provider Name: CDW-G  
Contract Number: MTM  
Billing Account Number: N/A  
Multiple Billing Account Numbers: N  
Service Start Date: 07/01/2008  
Service End Date: 06/30/2009  
Contract Award Date: N/A  
Contract Expiration Date: N/A  
Shared Worksheet Number: 1006459  
Number of Months Recurring Service Provided in Funding Year: 12  
Annual Pre-discount Amount for Eligible Recurring Charges: \$.00  
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$28,200.00  
Pre-discount Amount: \$28,200.00  
Discount Percentage Approved by the USAC: 77%  
Funding Commitment Decision: \$0.00 - Srvc/Discnt will NOT be funded  
Funding Commitment Decision Explanation: DRI: Given Program demand, the funding cap will not provide for Internal Connections and/or Basic Maintenance of Internal Connections at your approved discount level to be funded. Please see <http://www.universalservice.org/sl/> for further details.

FCDL Date: 01/05/2009

Wave Number: 033

Last Allowable Date for Delivery and Installation for Non-Recurring Services: 09/30/2009

FUNDING COMMITMENT REPORT  
Billed Entity Name: LAKE COUNTY SCHOOL DIST R 1  
BEN: 142196  
Funding Year: 2008

Comment on RAL corrections: The applicant did not submit any RAL corrections.

Form 471 Application Number: 627092  
Funding Request Number: 1732102  
Funding Status: Funded  
Category of Service: Telecommunications Service  
Form 470 Application Number: 106250000647683  
SPIN: 143005231  
Service Provider Name: Qwest Corporation  
Contract Number: MTM  
Billing Account Number: N/A  
Multiple Billing Account Numbers: N  
Service Start Date: 07/01/2008  
Service End Date: 06/30/2009  
Contract Award Date: N/A  
Contract Expiration Date: N/A  
Shared Worksheet Number: 1006459  
Number of Months Recurring Service Provided in Funding Year: 12  
Annual Pre-discount Amount for Eligible Recurring Charges: \$25,093.68  
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00  
Pre-discount Amount: \$25,093.68  
Discount Percentage Approved by the USAC: 77%  
Funding Commitment Decision: \$19,322.13 - FRN approved as submitted

FCDL Date: 01/05/2009

Wave Number: 033

Last Allowable Date for Delivery and Installation for Non-Recurring Services: 09/30/2009

FUNDING COMMITMENT REPORT  
Billed Entity Name: LAKE COUNTY SCHOOL DIST R 1  
BEN: 142196  
Funding Year: 2008

Comment on RAL corrections: The applicant did not submit any RAL corrections.

Form 471 Application Number: 627092  
Funding Request Number: 1732170  
Funding Status: Funded  
Category of Service: Internet Access  
Form 470 Application Number: 106250000647683  
SPIN: 143005231  
Service Provider Name: Qwest Corporation  
Contract Number: MTM  
Billing Account Number: N/A  
Multiple Billing Account Numbers: N  
Service Start Date: 07/01/2008  
Service End Date: 06/30/2009  
Contract Award Date: N/A  
Contract Expiration Date: N/A  
Shared Worksheet Number: 1006459  
Number of Months Recurring Service Provided in Funding Year: 12  
Annual Pre-discount Amount for Eligible Recurring Charges: \$10,254.72  
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00  
Pre-discount Amount: \$10,254.72  
Discount Percentage Approved by the USAC: 77%  
Funding Commitment Decision: \$7,896.13 - FRN approved as submitted

FCDL Date: 01/05/2009

Wave Number: 033

Last Allowable Date for Delivery and Installation for Non-Recurring Services: 09/30/2009

FUNDING COMMITMENT REPORT  
Billed Entity Name: LAKE COUNTY SCHOOL DIST R 1  
BEN: 142196  
Funding Year: 2008

Comment on RAL corrections: The applicant did not submit any RAL corrections.

Form 471 Application Number: 627092  
Funding Request Number: 1747974  
Funding Status: Not Funded  
Category of Service: Internal Connections  
Form 470 Application Number: 106250000647683  
SPIN: 143002487  
Service Provider Name: CenturyTel of Eagle, Inc.  
Contract Number: MTM  
Billing Account Number: N/A  
Multiple Billing Account Numbers: N  
Service Start Date: 07/01/2008  
Service End Date: 06/30/2009  
Contract Award Date: N/A  
Contract Expiration Date: N/A  
Shared Worksheet Number: 1006459  
Number of Months Recurring Service Provided in Funding Year: 12  
Annual Pre-discount Amount for Eligible Recurring Charges: \$45,000.00  
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$2,250.00  
Pre-discount Amount: \$47,250.00  
Discount Percentage Approved by the USAC: 77%  
Funding Commitment Decision: \$0.00 - Srvc/Discnt will NOT be funded  
Funding Commitment Decision Explanation: DR1: Given Program demand, the funding cap will not provide for Internal Connections and/or Basic Maintenance of Internal Connections at your approved discount level to be funded. Please see <http://www.universalservice.org/sl/> for further details.

FCDL Date: 01/05/2009

Wave Number: 033

Last Allowable Date for Delivery and Installation for Non-Recurring Services: 09/30/2009

FUNDING COMMITMENT REPORT  
Billed Entity Name: LAKE COUNTY SCHOOL DIST R 1  
BEN: 142196  
Funding Year: 2008

Comment on RAL corrections: The applicant did not submit any RAL corrections.

Form 471 Application Number: 627092  
Funding Request Number: 1748015  
Funding Status: Funded  
Category of Service: Internet Access  
Form 470 Application Number: 106250000647683  
SPIN: 143002487  
Service Provider Name: CenturyTel of Eagle, Inc.  
Contract Number: MTM  
Billing Account Number: N/A  
Multiple Billing Account Numbers: N  
Service Start Date: 07/01/2008  
Service End Date: 06/30/2009  
Contract Award Date: N/A  
Contract Expiration Date: N/A  
Shared Worksheet Number: 1006459  
Number of Months Recurring Service Provided in Funding Year: 12  
Annual Pre-discount Amount for Eligible Recurring Charges: \$20,175.60  
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$2,760.00  
Pre-discount Amount: \$22,935.60  
Discount Percentage Approved by the USAC: 77%  
Funding Commitment Decision: \$17,660.41 - FRN approved as submitted

FCDL Date: 01/05/2009

Wave Number: 033

Last Allowable Date for Delivery and Installation for Non-Recurring Services: 09/30/2009

Grant,

It is a small world in Telecom, that is great news, I can work with Century Tel, assisting them with the Qwest connections and still assist Lake County School on the existing Qwest services and potential upgrade.

I do agree that the wireless solution will provide the highest bandwidth for the least cost. The plan to implement the wireless connections and then remove the PTP copper T1's if fine. And when you upgrade the NEC modules to be IP enabled, you will be able to disconnect the private line connection used for 911.

In comparison the price per meg is substantially lower using the wireless solution than using MPLS, so I think this is a great solution for the School district.

You would still need local dial tone, so the DSS bulk pricing would still be something you want to sign.

The Internet connection could be provided by either Qwest or Century Tel.

**Mitch Paluso**

**Telcom National**

Direct (801) 990-0578

Fax (866) 768-8176

Cell (801) 864-8310

**Help Desk (866) 524-2828**

[www.telcomnational.com](http://www.telcomnational.com)

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**From:** David Bailey [mailto:David.Bailey@CenturyTel.com]  
**Sent:** Mon 12/15/2008 3:57 PM  
**To:** Grant Miller  
**Subject:** RE: Updates from Grant

For the metro ethernet termination rates, it is 100Mb at the HS, 50Mb at District Office/Admin, 20Mb at Pitts, and 20Mb at West Park.

The actual radio links will operate at 50Mb between the HS and Admin, 50Mb between the HS and Pitts, and 20Mb between Pitts and West Park going through the repeater at the Mining Museum.

Each location has it's own VLAN and it's own bandwidth. All aggregate and terminate at the HS at 90Mb and the extra 10Mb is for your dedicated internet access, which we will put in at 6Mb leaving 4Mb left over for DIA growth.

Make sense?

**Dave Bailey**  
Account Manager  
CenturyTel  
O: 970-328-5128  
F: 970-328-5129  
M: 970-471-6649

5. Does the relevant contract or lease include an option for the applicant to purchase the equipment?  
\_\_\_ Yes \_\_\_ No
- 5a. If Yes, do you intend to exercise this option. Yes \_\_\_ No \_\_\_.
6. Will the leased equipment be used at the applicant site for any purpose other than receipt of the eligible Telecommunications Services or Internet Access of which it is a part? \_\_\_ Yes \_\_\_ No
7. Will the school's or library's internal communication systems (e.g., LAN, video, phone, or other communication system) continue to work if the component is disconnected? \_\_\_ Yes \_\_\_ No.
8. Are there any contractual, technical, or other limitations that would prevent the service provider from using its network equipment, in part, for other customers? \_\_\_ Yes \_\_\_ No

Please provide the following cost breakdown and vendor documentation supporting the cost breakdown:

1. Please provide the full make and model of the on-premise equipment identified above. This information is necessary to determine the eligibility of the on-premise equipment. Note: if the listed FRN does not contain the actual service charges with which the on-premise equipment is part, please state the relevant Form 471 and FRN number.
2. Please provide documentation identifying your recurring and non-recurring initial capital charges for equipment (cost associated with the on-premise equipment and related installation) located at the applicant site. **These charges must be identified.**
  - Initial capital charges include one-time initial charges, plus any recurring charges in the initial year to defray service provider costs for equipment and its related installation
  - **Note:** An applicant cannot avoid requirements regarding upfront charges by merely spreading what would otherwise be a one-time charge over multiple recurring payments in a single funding year. USAC will compare monthly charges during the first year of a contract with monthly charges in subsequent years when making this evaluation.
3. Please identify any maintenance cost in this FRN related to the on-premise equipment.

Please fax or email the requested information to my attention. If you have any questions, please feel free to contact me.

It is important that we receive all of the information requested **within 15 calendar days** so we can complete our review. **Failure to do so may result in a commitment adjustment and/or recovery of previously disbursed funds.**

Should you wish to cancel your Form 471 application(s), or any of your individual funding requests, please clearly indicate in your response that it is your intention to cancel an application or funding request(s), along with the Form 471 application number(s) and/or funding request number(s) and the complete name, title and signature of the authorized individual.

Thank you for your cooperation and continued support of the Universal Service Program.

Kelly Miller  
Program Compliance  
973-581-5115 (phone)  
973-599-6525 (fax)  
kmiller@sl.universalservice.org



## Grant Miller

---

**From:** Grant Miller  
**Sent:** Friday, February 06, 2009 9:05 AM  
**To:** ProgCompliance  
**Subject:** RE: Appeal of Form 471 # 627092, FRN 1747974 (Lake County SD R-1)  
**Attachments:** Lake County School District R-1 Tennessee Test.doc

**Importance:** High

Kelly,

Attached is the form with answers to questions 1-8.

Below is the response from Dave Bailey who works for the Service Provider:

For 7, the LAN in each building would continue to work, phone service will work flawlessly at the high school and each connecting building will continue to get service with backup POTS lines in for redundancy. For 8, its is not our intention to use these radio's for other customers, but we could technically. I think this shows that we, the service provider, do indeed own the equipment... which we will.

Regards,

Grant

---

**From:** ProgCompliance [mailto:ProgCompliance@solixinc.com]  
**Sent:** Fri 2/6/2009 7:43 AM  
**To:** Grant Miller@1-719-486-2048  
**Cc:** Grant Miller  
**Subject:** Appeal of Form 471 # 627092, FRN 1747974 (Lake County SD R-1)

Grant,

Please see the attached letter.

Please respond to questions 1-8 only. There is no need to respond to the other questions numbered 1-3 toward the bottom since I feel those answers are included in your original spreadsheet.

I do recommend if you have any questions regarding 1-8 that you ask your service provider.

If you have any questions for me, please call.

Thank you.

Sincerely,

Kelly Miller  
Program Compliance  
973-581-5115 (phone)  
973-599-6525 (fax)  
[kmiller@sl.universalservice.org](mailto:kmiller@sl.universalservice.org)



## Schools and Libraries Division

February 6, 2009

Grant Miller  
Lake County School District R-1  
719-293-0103  
719-486-2048  
[gmiller@lakecountyschools.net](mailto:gmiller@lakecountyschools.net)  
Form 471 Application Number: 627092

**Response Due Date: February 25, 2009**

### Time Sensitive – 15-Day Response Expected

The Program Compliance team is in the process of reviewing your Funding Year 2008 Appeal. To complete my review, I need some additional information. The information needed to complete the review is listed below.

Based on the documentation provided it appears that FRN 1747974, includes charges associated with the following on-premise equipment:

High School to District Radio - 23  
GHz Dragonwave Horizon with 1'  
Dish

Misc Radio Eqmt - DragonWave  
APX 108 added at HS to provide  
TDM capability

Radio Installation

FCC License

WWP 310 Switches

WWP AC power cord

LE-OS 310 Base Software

Misc Cables

Switch Installation

UPS with NIC

Power Cycle eqmt PC800

WWP 310 District Office switch

WWP AC power cord

LE-OS 310 Base Software

Misc Cables

Switch Installation

UPS with NIC

High School to Pitt Elementary

Radio - 23 GHz Dragonwave

Horizon with 1' Dish

Misc Radio Eqmt - DragonWave

APX 108 added at HS to provide

TDM capability

Radio Installation

FCC License  
WWP 310 Pitts Elementary switch  
WWP AC power cord  
LE-OS 310 Base Software  
Misc Cables  
Switch Installation  
UPS with NIC  
Pitts to Mining Museum Radio - 23  
GHz Dragonwave Horizon with 1'  
Dish  
Misc Radio Eqmt  
Radio Installation  
FCC License  
WWP 310 Mining Museum switch  
WWP AC power cord  
LE-OS 310 Base Software  
Misc Cables  
Switch Installation  
UPS with NIC  
Mining Museum to West Park  
Radio - 23 GHz Dragonwave  
Horizon with 1' Dish  
Misc Radio Eqmt - DragonWave  
APX 108 added at HS to provide  
TDM capability  
Radio Installation  
FCC License  
WWP 310 West Park switch  
WWP AC power cord  
LE-OS 310 Base Software  
Misc Cables  
Switch Installation  
UPS with NIC

The FCC has indicated that equipment at the applicant site is presumed to be Internal Connections, but that this presumption can be overcome in certain circumstances. In order for us to evaluate your request, please provide the following information. You may consult with your service provider for assistance, if desired.

Please provide a YES/NO response to the following eight questions, and include your signature and title; or if responding via email, name and title.

1. Is the leased on-premise equipment an integral component of a Telecommunications or Internet Access service? ☐ Yes ☐ No
2. Will the leased on-premise equipment be provided by the same service provider that provides the associated Telecommunications Service or Internet Access service? ☐ Yes ☐ No
3. Does responsibility for maintaining the equipment rest with the service provider? ☐ Yes ☐ No
4. Will ownership of the equipment transfer to the school or library in the future? ☐ Yes ☐ No

Hi Grant,

Per the voice mail message I left you on your cell phone earlier this morning, I wanted to check in with you to see how the project was progressing. I would be glad to provide you with an estimate based on using Steamboat's NEC equipment, but I need more information. I have the all the specs on the LCMS's NEC 2000 IPS system and the configuration on the 2400 at LCHS. All I need is the number of phones that are in use at Admin and at West Park & Pitts Elementary Schools. Since the DRUs are limited to only 23 phones each, would there be a need for any additional digital or analog extensions at each?

Thanks!

Steve

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**From:** Steve Shriver  
**Sent:** Thursday, December 11, 2008 4:42 PM  
**To:** 'gmiller@lakecountyschools.net'  
**Subject:** Contact Info

Grant,

Thank you for your time on the telephone earlier this afternoon. Please see my contact info below. I'm looking forward to working with you on Lake County Schools' new project.

Steve

**Steve Shriver**  
**Senior Account Manager**  
**Microtech-Tel**  
**Direct phone: 303-576-3112**  
**Direct fax: 303-307-3067**  
**24x7 Service: 303-414-7333 or 800-722-5115**  
**[sshriver@microtech-tel.com](mailto:sshriver@microtech-tel.com)**



Universal Service Administrative Company

Schools and Libraries Division

**Administrator's Appeal Acknowledgement Letter**  
(Funding Year 2008: 07/01/08-06/30/09)

January 20, 2009

Grant Miller  
Lake County School District R-1  
107 Spruce Street  
Leadville, CO 80461

Subject: Lake County School District R-1

Grant Miller,

Universal Service Administrative Company has received your correspondence dated January 13, 2009, on January 16, 2009 regarding the 2008 funding decision of your Form 471 Application Number 627092 - FRN 1747974.

These are the steps that will now follow:

1. We will review your correspondence carefully to identify the specific issue(s) it raises.
2. We will consult the Program Integrity Assurance records and all supporting documentation for the application. Our goal is to determine whether the program rules were administered appropriately in processing your application.
3. Once the review process is completed we will respond in writing and state whether your appeal is approved, denied or approved in part. A Revised Funding Commitment Decision Letter will follow for any approved appeal resulting in additional discounts for your application. Funds have been set aside to implement funding decisions for appeals approved by the SLD and/or the Federal Communications Commission.

We will perform an in-depth review of your appeal. Our goal is to respond to you as promptly as possible. We thank you in advance for your patience as we handle your appeal with the care and attention it deserves.

Universal Service Administrative Company



80 South Jefferson Road  
Whippany, New Jersey 07981

Fax: 973-599-6525

**Universal Service Administration Company**  
Schools & Libraries Division

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**FAX TRANSMISSION COVER SHEET**

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To: Grant Miller  
Fax: 1-719-486-2048  
Subject: Appeal of Form 471 # 627092, FRN 1747974 (Lake County SD R-1)  
From: ProgCompliance  
Date: February 06, 2009  
Time: 9:43:34 AM

YOU SHOULD RECEIVE 5 PAGE(S), INCLUDING THIS COVER SHEET. IF YOU DO NOT  
RECEIVE ALL THE PAGES, PLEASE CALL

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Grant,

Please see the attached letter.

Please respond to questions 1-8 only. There is no need to respond to the other questions numbered 1-3 toward the bottom since I feel those answers are included in your original spreadsheet.

I do recommend if you have any questions regarding 1-8 that you ask your service provider.

If you have any questions for me, please call.

**Privilege and Confidentiality Notice**

The information in this telecopy is intended for the named recipients only. It may contain information that is privileged, confidential or otherwise protected from disclosure. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or the taking of any action in reliance on the contents of this telecopied material is strictly prohibited. If you have received the telecopy in error, please notify us by telephone immediately and mail the original to us at the above address. Thank you.

Thank you.

Sincerely,

Kelly Miller

Program Compliance

973-581-5115 (phone)

973-599-6525 (fax)

[kmiller@sl.universalservice.org](mailto:kmiller@sl.universalservice.org)



Universal Service Administrative Company

## Schools and Libraries Division

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February 6, 2009

Grant Miller  
Lake County School District R-1  
719-293-0103  
719-486-2048  
[gmiller@lakecountyschools.net](mailto:gmiller@lakecountyschools.net)  
Form 471 Application Number: 627092

**Response Due Date: February 25, 2009**

### **Time Sensitive – 15-Day Response Expected**

The Program Compliance team is in the process of reviewing your Funding Year 2008 Appeal. To complete my review, I need some additional information. The information needed to complete the review is listed below.

Based on the documentation provided it appears that FRN 1747974, includes charges associated with the following on-premise equipment:

High School to District Radio - 23  
GHz Dragonwave Horizon with 1'  
Dish

Misc Radio Eqmt - DragonWave  
APX 108 added at HS to provide  
TDM capability

Radio Installation

FCC License

WWP 310 Switches

WWP AC power cord

LE-OS 310 Base Software

Misc Cables

Switch Installation

UPS with NIC

Power Cycle eqmt PC800

WWP 310 District Office switch

WWP AC power cord

LE-OS 310 Base Software

Misc Cables

Switch Installation

UPS with NIC

High School to Pitt Elementary

Radio - 23 GHz Dragonwave

Horizon with 1' Dish

Misc Radio Eqmt - DragonWave  
APX 108 added at HS to provide  
TDM capability

Radio Installation



FCC License  
 WWP 310 Pitts Elementary switch  
 WWP AC power cord  
 LE-OS 310 Base Software  
 Misc Cables  
 Switch Installation  
 UPS with NIC  
 Pitts to Mining Museum Radio - 23  
 GHz Dragonwave Horizon with 1'  
 Dish  
 Misc Radio Eqmt  
 Radio Installation  
 FCC License  
 WWP 310 Mining Museum switch  
 WWP AC power cord  
 LE-OS 310 Base Software  
 Misc Cables  
 Switch Installation  
 UPS with NIC  
 Mining Museum to West Park  
 Radio - 23 GHz Dragonwave  
 Horizon with 1' Dish  
 Misc Radio Eqmt - DragonWave  
 APX 108 added at HS to provide  
 TDM capability  
 Radio Installation  
 FCC License  
 WWP 310 West Park switch  
 WWP AC power cord  
 LE-OS 310 Base Software  
 Misc Cables  
 Switch Installation  
 UPS with NIC

The FCC has indicated that equipment at the applicant site is presumed to be Internal Connections, but that this presumption can be overcome in certain circumstances. In order for us to evaluate your request, please provide the following information. You may consult with your service provider for assistance, if desired.

Please provide a YES/NO response to the following eight questions, and include your signature and title; or if responding via email, name and title.

1. Is the leased on-premise equipment an integral component of a Telecommunications or Internet Access service? ☒ Yes ☐ No
2. Will the leased on-premise equipment be provided by the same service provider that provides the associated Telecommunications Service or Internet Access service? ☒ Yes ☐ No
3. Does responsibility for maintaining the equipment rest with the service provider? ☒ Yes ☐ No
4. Will ownership of the equipment transfer to the school or library in the future? ☐ Yes ☒ No

5. Does the relevant contract or lease include an option for the applicant to purchase the equipment?  
☐ Yes ☒ No

5a. If Yes, do you intend to exercise this option. Yes ☐ No ☐.

6. Will the leased equipment be used at the applicant site for any purpose other than receipt of the eligible Telecommunications Services or Internet Access of which it is a part? ☐ Yes ☒ No
7. Will the school's or library's internal communication systems (e.g., LAN, video, phone, or other communication system) continue to work if the component is disconnected? ☒ Yes ☐ No.
8. Are there any contractual, technical, or other limitations that would prevent the service provider from using its network equipment, in part, for other customers? ☐ Yes ☒ No

Please provide the following cost breakdown and vendor documentation supporting the cost breakdown:

1. Please provide the full make and model of the on-premise equipment identified above. This information is necessary to determine the eligibility of the on-premise equipment. Note: if the listed FRN does not contain the actual service charges with which the on-premise equipment is part, please state the relevant Form 471 and FRN number.
2. Please provide documentation identifying your recurring and non-recurring initial capital charges for equipment (cost associated with the on-premise equipment and related installation) located at the applicant site. **These charges must be identified.**
  - Initial capital charges include one-time initial charges, plus any recurring charges in the initial year to defray service provider costs for equipment and its related installation
  - **Note:** An applicant cannot avoid requirements regarding upfront charges by merely spreading what would otherwise be a one-time charge over multiple recurring payments in a single funding year. USAC will compare monthly charges during the first year of a contract with monthly charges in subsequent years when making this evaluation.
3. Please identify any maintenance cost in this FRN related to the on-premise equipment.

Please fax or email the requested information to my attention. If you have any questions, please feel free to contact me.

It is important that we receive all of the information requested **within 15 calendar days** so we can complete our review. **Failure to do so may result in a commitment adjustment and/or recovery of previously disbursed funds.**

Should you wish to cancel your Form 471 application(s), or any of your individual funding requests, please clearly indicate in your response that it is your intention to cancel an application or funding request(s), along with the Form 471 application number(s) and/or funding request number(s) and the complete name, title and signature of the authorized individual.

Thank you for your cooperation and continued support of the Universal Service Program.

Kelly Miller  
Program Compliance  
973-581-5115 (phone)  
973-599-6525 (fax)  
kmiller@sl.universalservice.org

Grant Miller  
Lake County School District R-1  
107 Spruce Street  
Leadville, CO 80461

Billed Entity Number: 142196  
Form 471 Application Number: 627092  
Form 486 Application Number:

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**Universal Service Administrative Company**  
Schools & Libraries Division

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**Administrator's Decision on Appeal – Funding Year 2008-2009**

February 19, 2009

Grant Miller  
Lake County School District R-1  
107 Spruce Street  
Leadville, CO 80461

Re: Applicant Name: LAKE COUNTY SCHOOL DIST R 1  
Billed Entity Number: 142196  
Form 471 Application Number: 627092  
Funding Request Number(s): 1747974  
Your Correspondence Dated: January 13, 2009

After thorough review and investigation of all relevant facts, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision in regard to your appeal of USAC's Funding Year 2008 Funding Commitment Decision Letter for the Application Number indicated above. This letter explains the basis of USAC's decision. The date of this letter begins the 60 day time period for appealing this decision to the Federal Communications Commission (FCC). If your Letter of Appeal included more than one Application Number, please note that you will receive a separate letter for each application.

Funding Request Number(s): 1747974  
Decision on Appeal: **Approved**  
Explanation:

- Your appeal has brought forward persuasive information that the funding request cited above should be categorized as a Telecommunications Service and approved for funding.

Since the Administrator's Decision on Appeal approves additional funding for your application, USAC will issue a Revised Funding Commitment Decision Letter (RFCDL) to you and to each service provider that will provide the services approved for discounts in this letter. USAC will issue the RFCDL to you as soon as possible. If your appeal included Internal Connections at a discount level that has not yet been approved for funding, an RFCDL will be issued for those funding requests once USAC determines if there will be sufficient funds to make commitments at your discount level. The RFCDL will inform you of the precise dollar value of your approved funding request(s). As you

await the RFCDL, you may share this Administrator's Decision on Appeal with the relevant service provider(s).

If the original FCDL approved funding in part for the services covered by this appeal, the 120 day deadline for filing Forms 486 is determined based on the date of the original FCDL that approved funding for the request(s). However, if the original FCDL denied funding for the services covered by this appeal, Forms 486 cannot be filed until you have received your RFCDL.

We thank you for your continued support, patience and cooperation during the appeal process.

Schools and Libraries Division  
Universal Service Administrative Company

cc: Jason Henry